

### REMARKS

The following Restriction Requirement has been issued:

- I. Claims 1-4, 6, 8, 10, 11, 14-16, drawn to nucleic acid compositions and methods;
- II. Claim 7, drawn to a method of producing antibodies;
- III. Claims 9, 12, 13, 23 and 24, drawn to a method of identifying genomic variants and
- IV. Claim 26, drawn to methods of detecting non-coding nucleic acid sequence specific regions.

Further elections are also required:

- i. a single nucleic acid construct, or single target gene from claims 1, 23, 24
- ii. a single polypeptide from claims 6, 7;
- iii. a single target region from claims 8 and 26 and
- iv. a single polypeptide from claim 25.

Applicant elects with traverse Group I, claims 1-4, 6, 8, 10, 11, 14-16. However, it is Applicant's view that the claims in Groups II, III and IV are ultimately linked to the claims in Group I since claims 7, 23 and 26 depend from claim 1, claims 9, 24 and 25 depend from claim 8, claims 12 and 13 depend from claim 11. In the event that the Restriction Requirement is maintained, Applicant notes that the process claims in Groups II-IV are subject to the right of rejoinder once there is indication of allowable subject matter of the claims of Group I.

Applicant further elects with traverse SEQ ID NO:6 which encodes human adipocyte enhancer binding protein 1 depicted in SEQ ID NO:3 with respect to claims 1, 23 and 24; human adipocyte enhancer binding protein 1 with respect to claims 6 and 7 and the intron region with respect to claim 8 and 26. It is Applicant's position that it would not be unduly burdensome to search the number of sequences recited. Applicant directs the Examiner's attention to MPEP 803.04 directed to "Nucleotide sequences" where it is stated "It has been determined that normally ten sequences constitute a reasonable number for examination purposes".

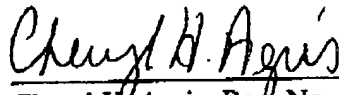
In view of the Restriction Requirement, claims 1, 6-8 and 23-26 have been amended. These claims have also been amended to more distinctly claim that which Applicant regards as the invention and are supported by the specification. No new matter has been added.

Applicant asserts that the claims are now in condition for examination. The Examiner is invited to contact the undersigned below if there are any questions regarding this application, amendment or response.

Date:

5/21/06

Respectfully submitted,



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